

3 MONTHS

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**PAPER** 

CONFIRMATION NO.

ATTORNEY DOCKET NO.

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/692,200	10/23/2003	Sujal S. Parikh	14917.0230US01/MS305926.	0 8417	
<b>4</b> 7.00	7590 01/30/2007 z GOULD (MICROSOFT)	•	EXAM	INER	
P.O. BOX 2903	,	•	CARLETON, THUY T		
MINNEAPOLIS	S, MN 55402-0903		ART UNIT	PAPER NUMBER	
			2179		
SHORTENED STATUTORY	Y PERIOD OF RESPONSE	MAIL DATE	DELIVER	Y MODE	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

01/30/2007

e i	OIPE		
		Application No.	Applicant(s)
Office As	FEB 0 5 2007 W	10/692,200	PARIKH ET AL.
Office Ac	tion Summary	Examiner	Art Unit
The MAIL INC	DATE	Thuy Carleton	2196
Period for Reply	DATE of this communication app	ears on the cover sheet with the d	orrespondence address
WHICHEVER IS LO  - Extensions of time may be after SIX (6) MONTHS fro  - If NO period for reply is sp.  - Failure to reply within the Any reply received by the	ATUTORY PERIOD FOR REPLY NGER, FROM THE MAILING DATE of available under the provisions of 37 CFR 1.15 on the mailing date of this communication. Decified above, the maximum statutory period viset or extended period for reply will, by statute, Office later than three months after the mailing ment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be tiruly will apply and will expire SIX (6) MONTHS from the cause the application to become ABANDONE	N. mely filed the mailing date of this communication. ED (35 U.S.C. § 133).
Status	,		
1) Responsive to	communication(s) filed on 23 O	ctober 2003.	
2a) This action is		action is non-final.	
3)☐ Since this app	lication is in condition for allowar	nce except for formal matters, pro	osecution as to the merits is
closed in acco	ordance with the practice under E	x parte Quayle, 1935 C.D. 11, 4	53 O.G. 213.
Disposition of Claims			•
4)⊠ Claim(s) <u>1-42</u>	is/are pending in the application.	•	
4a) Of the abo	ve claim(s) is/are withdraw	vn from consideration.	
5) Claim(s)			
6)⊠ Claim(s) <u>1-42</u>	`		
	is/are objected to.	r alaction requirement	
	_ are subject to restriction and/o	r election requirement.	
Application Papers			
9) The specification	on is objected to by the Examine	г.	
10) The drawing (s	) filed on is/are: a)□ acco	epted or b) objected to by the	Examiner.
• •	not request that any objection to the	• • • • • • • • • • • • • • • • • • • •	• •
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ii) ine oath or de	claration is objected to by the Ex	aminer. Note the attached Oπice	Action or form PTO-152.
Priority under 35 U.S.C	;. § 119		
<del>-</del>	ent is made of a claim for foreign ome * c)  None of:	priority under 35 U.S.C. § 119(a	)-(d) or (f).
1. Certified	d copies of the priority documents	s have been received.	•
2. Certified	d copies of the priority documents	s have been received in Applicat	ion No
· ·	of the certified copies of the prior		ed in this National Stage
	ion from the International Bureau		
* See the attache	ed detailed Office action for a list	of the certified copies not receive	<b>∋d</b> .
Attachment(s)			•
1) Notice of References C	ited (PTO-892)	4) Interview Summary	/ (PTO-413)
2) Notice of Draftsperson's	s Patent Drawing Review (PTO-948)	Paper No(s)/Mail D  5) Notice of Informal F	ate
3) Information Disclosure Paper No(s)/Mail Date		6) Other:	atent Application

Art Unit: 2196

#### **DETAILED ACTION**

1. Claims 1-42 are pending and have been examined.

## Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 17-25 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

As to claim 17, a "set of executable procedures" is being recited; however, as disclosed by the specification sections are taught to be software, per se. A set of executable procedures with no structural and functional interrelationship between computer elements is computer software by itself.

As such, claims 18-24 are rejected as incorporating the deficiencies of a claim upon which it depends.

As to claim 25, a "data structure" is being recited; however, as disclosed by the specification sections are taught to be a non-functional descriptive material that includes mere arrangement to data.

Art Unit: 2196

# Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-10, 12-21 and 23-42 are rejected under 35 U.S.C. 102(b) as being anticipated by Breinberg et al. (US Patent 5,886,694), hereinafter "Breinberg"

As claim 1, Breinberg teaches a method of making ready for presentation a graphical element in a computer application program by communicating with a computer operating system (col. 1, lines 59-62; col. 13, lines 34-39), the method comprising:

executing a first procedure for measuring the element (fig. 6, label 602; col. 2, lines 1-9; col. 11,

lines 43-49, that when the layout stage is implemented it is measuring the size and position of each frame (element));

executing a second procedure for arranging the element (col. 2, lines 1-9; col. 4, lines 57-64; col. 11, lines 51-55, that the auto-layout engine arranges and repositions the frames (elements) as it traverses the tree to fill available space);

and wherein the second procedure is invoked and executed independently from the first procedure (fig. 6, label 604; col. 11, lines 56-67 and col. 12, lines 1-13).

Art Unit: 2196

As claim 2, Breinberg further teaches the first procedure returns a desired size for the element (fig. 6, label 606; col. 12, lines 14-23, it is inherent that after the calculation, the results to include the desired size will be returned).

As claim 3, Breinberg further teaches the first procedure computes desired sizes for child-elements of the element (fig. 6, label 606; col. 12, lines 14-23).

As claim 4, Breinberg further teaches the first procedure comprises determining whether a child-element requires computation of its desired size (col. 17, lines 14-22).

As claim 5, Breinberg further teaches the second procedure computes a final size for the element (fig. 5, label 504, 506, 508 and 510; fig. 7, label 718; col. 11 lines 15-21; col. 14, lines 27-29).

As claim 6, Breinberg further teaches the second procedure further computes display positions for a child-element of the element (fig. 7, label 718; col. 14, lines 27-36; col. 2, lines 41-43).

As claim 7, Breinberg further teaches signaling the element's need to be measured by the first procedure (fig. 4, label 404; col. 10, lines 18-24).

As claim 8, Breinberg further teaches the signaling step comprises calling a measure invalidation function (col. 2, lines 24-27).

Art Unit: 2196

As claim 9, Breinberg further teaches the signaling step further comprises setting a flag on the element (col. 13, lines 3-8).

As claim 10, Breinberg further teaches the signaling step comprises notifying the operating system (col. 13, lines 37-39).

As claim 12, Breinberg further teaches the element requests the measuring of all elements needing to be measured (fig. 4, label 404; col. 10, lines 18-24).

As claim 13, Breinberg further teaches signaling with a signal an element's need to be arranged by the second procedure (col. 2, lines 34-41, it is inherent that the size and position of the child frames depend on parent frame, therefor, when anyone of the child frames change a windows message is sent to arrange the child frames).

As claim 14, Breinberg further teaches the signal comprises calling an arrange invalidation function (col. 2, lines 24-27, it is inherent that a windows message will be sent for all windows (elements) that need to be arranged).

As claim 15, Breinberg further teaches the signaling step further comprises setting a flag on the element (col. 13, lines 3-8).

As claim 16, Breinberg further teaches the element requests the arranging of all elements needing to be arranged (col. 2, lines 34-41, it is inherent that the size and position of

Art Unit: 2196

frame (element));

the child frames depend on parent frame, therefore, when anyone of the child frames change a windows message is sent to arrange all the child frames).

As claim 17, Breinberg teaches a set of executable procedures callable by a computer application program for making ready for presentation a graphical element (col. 1, lines 59-62 and lines 64-67; col. 2, line 1), including at least:

a first procedure for measuring the element (fig. 6, label 602; col. 2, lines 1-9; col. 11, lines 43-49, that when the layout stage is implemented it is measuring the size and position of each

a second procedure for arranging the element (col. 2, lines 1-9; col. 4, lines 57-64; col. 11, lines 51-55, that the auto-layout engine arranges and repositions the frames (elements) as it traverses the tree to fill available space);

and wherein the second procedure is called and executed independently from the first procedure (fig. 6, label 604; col. 11, lines 56-67 and col. 12, lines 1-13).

As claim 18, Breinberg further teaches the first procedure returns a desired size for the element (fig. 6, label 606; col. 12, lines 14-23, it is inherent that after the calculation, the results to include the desired size will be returned).

As claim 19, Breinberg further teaches the second procedure computes a final size for the element (fig. 5, label 504, 506, 508 and 510; fig. 7, label 718; col. 11 lines 15-21; col. 14, lines 27-29).

As claim 20, Breinberg further teaches at least a procedure for signaling the

Art Unit: 2196

element's need to be measured (fig. 4, label 404; col. 10, lines 18-24).

As claim 21, Breinberg further teaches at least a procedure for signaling the element's need to be arranged (col. 2, lines 34-41, it is inherent that the size and position of the child frames depend on parent frame, therefore, when anyone of the child frames change a windows message is sent to arrange all the child frames).

As claim 23, Breinberg further teaches at least a procedure for requesting the measurement of all elements needing to be measured (fig. 4, label 404; col. 10, lines 18-24).

As claim 24, Breinberg further teaches at least a procedure for requesting the arrangement of all elements needing to be arranged (col. 2, lines 34-41, it is inherent that the size and position of the child frames depend on parent frame, therefore, when anyone of the child frames change a windows message is sent to arrange all the child frames).

As claim 25, Breinberg teaches a data structure for facilitating making ready for presentation a graphical element (col. 2, lines 12-27), the data structure comprising: a first value representing the desired size of the (col. 2, lines 26-27; col. 14, lines 52-55, that the attributes is the value that represents the requested size for the frame (element)); a second value representing the computed size of the element (col. 2, lines 26-27; col. 11, lines 1-8; col. 14, lines 52-55. It is inherent that the auto-layout engine determines the size and dimensions, and the returned value is the computed size value for each frame (element); a first flag for triggering measurement of the element (col. 10, lines 3-20); and a second flag for triggering arrangement of the element (col. 10, lines 45-57).

specified frame (element));

Art Unit: 2196

As claim 26, Breinberg teaches a system for making ready for presentation a graphical element (fig. 3; col. 8, lines 31-34), the system comprising:

a data structure representing the element (col. 6, lines 1-7. It is inherent the data about the frame (element) is contained in a data structure describing the position and dimensions of the

a first executable procedure using the data structure for measuring the element (fig. 6, label 602; col. 2, lines 1-9; col. 11, lines 43-49. It is inherent that when the layout stage is implemented it is measuring the size and position of each frame (element)); and a second executable procedure using the data structure for arranging the element (col. 2, lines 1-9; col. 4, lines 57-64; col. 11, lines 51-55, that the auto-layout engine arranges and repositions the frames (elements) as it traverses the tree to fill available space);

As claim 27, Breinberg further teaches the data structure comprises:

a first value representing the desired size of the element (col. 2, lines 26-27; col. 14, lines 52-55, it is inherent that the attributes is the value for the size);

a second value representing the computed size of the element (col. 2, lines 26-27; col. 14, lines 52-55, it is inherent that after the result of the method/function call, the returned value is the computed size value for the element);

a first flag for triggering measurement of the element (col. 10, lines 3-20);

As claim 28, Breinberg further teaches the first executable procedure returns a desired size for the element (fig. 6, label 606; col. 12, lines 14-23, it is inherent that after the calculation, the results to include the desired size will be returned).

and a second flag for triggering arrangement of the element (col. 10, lines 45-57).

Art Unit: 2196

As claim 29, Breinberg further teaches the first executable procedure computes desired sizes of child-elements of the element (fig. 6, label 606; col. 12, lines 14-23).

As claim 30, Breinberg further teaches the second executable procedure computes a final size for the element (fig. 5, label 504, 506, 508 and 510; fig. 7, label 718; col. 11 lines 15-21; col. 14, lines 27-29).

As claim 31, Breinberg further teaches the second executable procedure further computes display positions for a child-element of the element (fig. 7, label 718; col. 14, lines 27-36; col. 2, lines 41-43).

As claim 32, Breinberg further teaches using the first flag for signaling the element's need to be measured by the first executable procedure (fig. 4, label 404; col. 10, lines 18-24).

As claim 33, Breinberg further teaches using the second flag for signaling the element's need to be arranged by the second executable procedure (col. 2, lines 34-41, it is inherent that the size and position of the child frames depend on parent frame. Therefore, when anyone of the child frames change a windows message is sent to arrange all the child frames).

As claim 34, Breinberg inherently teaches a computer-readable medium (computer-executable instructions in order to be operational must be stored and implemented from a computer-readable medium) including computer-executable instructions facilitating making ready for presentation a graphical element in a system (col. 1, lines 59-61 and lines 64-67; col. 2, line 1), computer-executable instructions executing the steps of:

Art Unit: 2196

calling a measuring procedure to measure the element (fig. 6, label 602; col. 2, lines 1-3; col. 11, lines 43-49);

calling an arranging procedure to arrange the element (col. 2, lines 1-3; col. 11, lines 51-55); and wherein the measuring procedure is called and executed independently from the arranging procedure (fig. 6, label 604; col. 11, lines 56-67 and col. 12, lines 1-13).

As claim 35, Breinberg further teaches the measuring procedure returns a desired size for the element (fig. 6, label 606; col. 12, lines 14-23, it is inherent that after the calculation, the results to include the desired size will be returned).

As claim 36, Breinberg further teaches the measuring procedure computes desired sizes for child-elements of the element (fig. 6, label 606; col. 12, lines 14-23).

As claim 37, Breinberg further teaches the measuring procedure comprises determining whether a child-element requires computation of its desired size (col. 17, lines 14-22).

As claim 38, Breinberg further teaches the arranging procedure computes a final size for the element (fig. 5, label 504, 506, 508 and 510; fig. 7, label 718; col. 11 lines 15-21; col. 14, lines 27-29).

As claim 39, Breinberg further teaches the arranging procedure further computes display positions for a child-element of the element (fig. 7, label 718; col. 14, lines 27-36; col. 2, lines 41-43).

Art Unit: 2196

As claim 40, Breinberg teaches a method for measuring for presentation a graphical element in a computer application program (col. 1, lines 59-62, col. 2, lines 56-61), the method comprising:

receiving an available size parameter for the element (receiving an available size parameter for the element (fig. 6, label 602; col. 2, lines 1-11; col. 11, lines 43-55, that the auto-layout engine determines the size and dimensions, and the returned value is the available size value for each frame (element)):

and causing a measuring function to provide a desired size result parameter for the element, using the available size parameter (col. 11, lines 19-25, that the size and dimensions are returned based on the desired and available size when the auto-layout engine is implemented).

As claim 41, Breinberg teaches a method for arranging for presentation a graphical element in a computer application program (col. 1, lines 65-67; col. 2, line 1), the method comprising:

receiving a final size parameter for the element (fig. 6, label 602; col. 2, lines 1-11; col. 11, lines 43-49, that the auto-layout engine will provide the final size of the frame (element) based on the calculations that are made while the auto-layout engine is implemented);

and causing an arranging function to provide a computed size parameter for the element, using the final size parameter (col. 4, lines 45-55; col. 11, lines 19-25. It is inherent that the auto-layout engine determines the size and dimensions, and the returned value is the computed size value for each frame (element) based on the final size requested).

As claim 42, Breinberg teaches a method for notifying that a first graphical element requires measurement (fig. 4, label 404; col. 10, lines 18-24) for presentation in a computer

Art Unit: 2196

application program (col. 4, lines 19-22), the method comprising:

receiving the first element as a child parameter (fig. 6, labels 602 and 606; col. 12, lines 14-23, that the auto-layout engine will receive the constraints of the first child frame (element)); and causing a notification function to notify a second graphical element of the first element's need to be measured, using the child parameter (fig. 4, label 404; col. 10, lines 18-24, that the call (windows message) between frames (elements) exchange information to include the requirement to be measured).

# Claim Rejections - 35 USC § 103

- 6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
  - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 7. Claims 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Breinberg in view of Lupu (US Pub 2004/0100480).

As claim 11, Breinberg does not teach the signaling step comprises notifying the element's parent-element.

However, Lupu teaches the signaling step comprises notifying the element's parent-element (par [0007]).

Therefore, it would have been obvious to one ordinary skill in the art the time the invention to modify Breinberg by having signaling step to notify the element's parent-element as taught by

Art Unit: 2196

Lupu in order to provide constant communication between window objects (elements) enhancing the over all functionality.

As claim 22, Breinberg does not teach the procedure for signaling to a parent element the child element's need to be measured.

However, Lupu teaches the procedure for signaling to a parent element the child element's need to be measured (par [0007]).

Therefore, it would have been obvious to one ordinary skill in the art the time the invention to modify Breinberg by having the procedure for signaling to a parent element the child element's need to be measured as taught by Lupu in order to provide a functional interface between modules utilizing window messages constantly updating the status of each window object (element).

#### **Conclusion**

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Halstead, Jr. et al. (US Patent 6,667,750) – Multiple pass layout of graphical object with elastics.

Geigel et al. (US Pub 2002/0122067) – System and method for automatic layout of images in digital albums.

Bolnick et al. (US Patent 6,043,817) – Method and apparatus for arranging displayed graphical representations on a computer interface.

Art Unit: 2196

Breinberg (US Pub 2004/0268269) – System and method for automatic and dynamic layoff of resizable dialog type windows.

Dando (US Pub 2003/0058286) – Configurable user-interface component management system.

Lucas et al. (US Patent 6,075,530) – Computer system and method for analyzing information using one or more visualization frames.

Suppan et al. (US Pub 2003/0007014) – User interface system for composing an image page layout.

Rogers et al. (US Patent 6,133,914) – Interactive graphical user interface.

McComb et al. (US Patent 6,111,573) - Device independent window and view system.

Koppolu et al. (US Patent 5,754,175) – Method and system for in-place interaction with contained objects.

Lupu (US Pub 2004/0100480) – Input redirection.

Stall (US Patent 6,954,933) – Method and apparatus for providing and interacting higperformance message queues in a user interface environment.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuy Carleton whose telephone number is 571-270-1258. The examiner can normally be reached on Monday-Friday (7:00AM-5:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nabil El-Hady can be reached on 571-272-3963. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

Art Unit: 2196

Page 15

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TC

Thuy Carleton

NABIL M. EL-HADY
NABIL M. EL-HADY
PATENT EXAMINER

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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Parikh, et al.	
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				U.S. PATENT DOCUMENTS				
Examiner Initials	Doc. No.	U.S. Patent Doct Patent Number or Publication Number	iment Kind Code	Name of Patentee or Applicant	Date of Publication	Filing D		
TC	AA	5,838,317		Bolnick et al.	11/17/1998	06/30/19	95	
ፐር	AB	6,043,817		Bolnick et al.	03/28/2000	09/30/19	97	
TC	. AC	6,154,220		Prakriya et al.	11/28/2000	10/19/19	98	
ምር	ΑD	6,189,019	B1	Blumer et al.	02/13/2001	08/14/19	96	
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ፐር	AJ	2002/0120784	A1	Rajarajan et al.	08/29/2002	12/20/20	00	
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TC	AL	2002/0076322	A1	Ouzts et al.	04/24/2003	10/18/20	01	
TC ·	AM	2003/0079177	A1	Brintzenhofe et al.	04/24/2003	10/28/20	02	
ጥር	AN	2003/0084181	A1	Wilt	05/01/2003	02/12/20	02	
TC	AO	10/691,349		Parikh, et al.	-	10/22/20	03	
FOREIGN PATENT DOCUMENTS								
Foreign Patent Document						Trans	slation	
Examiner Initials	Doc. No.	Office Application Patent Nu		Kind Name of Patentee or Applicant	Date of Publication	Yes	No⁴	
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		OTHER - NON PATE	NT LITERATURE DOCUMENT	rs	•		
Examiner	Doc.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item					
(book manazine inumal cerial composium catalog etc.) date nage(s) volume-issue number(s) nublisher l					Yes	No**	
				<u> </u>			
Examiner Signature		/Thuy Carleton/	Date Considered	12/20/2006			

<sup>\*</sup> A concis statement of relevance is b ing submitted in lieu of a translation. 37 CFR 1.98(a)(3).

<sup>+</sup> An English-language equivalent/patent, or an English-language abstract, or an English-language version of the search report or action by a foreign patent office in a counterpart foreign application indicating the degree of relevance found by the foreign office is being submitted in lieu of a concise explanation of relevance under 37 CFR 1.98(a)(3).

## Notice of References Cited

Application/Control Bo E 10/692,200 FEB 0 5 2007 Thuy Carlaton

Applicant(s)/Patent Under Reexamination PARIKH ET AL.

Art Unit 2196

Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	Α	US-5,886,694	03-1999	Breinberg et al.	715/788
*	В	US-6,667,750	12-2003	Halstead et al.	715/788
*	С	US-2002/0122067	09-2002	Geigel et al.	345/788
*	D	US-6,043,817	03-2000	Bolnick et al.	715/788
*	E	US-2004/0268269	12-2004	Breinberg, Steven Adam	715/851
*	F	US-2003/0058286	03-2003	Dando, Owen	345/853
*	G	US-6,075,530	06-2000	Lucas et al.	715/804
*	Н	US-2003/0007014	01-2003	Suppan et al.	345/853
*	-	US-6,133,914	10-2000	Rogers et al.	345/661
*	J	US-6,111,573	08-2000	McComb et al.	715/763
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*	L	US-2004/0100480	05-2004	Lupu, Corneliu I.	345/700
*	М	US-6,954,933	10-2005	Stall, Jeffrey E.	719/314

#### **FOREIGN PATENT DOCUMENTS**

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### **NON-PATENT DOCUMENTS**

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
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\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).) Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.